

ORDINANCE NO. 2006 -053

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED AMENDMENT **PINE GLADES NATURAL AREA ADDITION (2006-00027)**, MODIFYING PAGE 5 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 721.7 ACRES, GENERALLY LOCATED ON SOUTHEAST QUADRANT OF INDIANTOWN ROAD AND SEMINOLE PRATT-WHITNEY ROAD, FROM INDUSTRIAL (IND) & RURAL RESIDENTIAL, WITH 1 UNIT PER 10 ACRES (RR-10) TO CONSERVATION (CON); AND **CYPRESS CREEK NATURAL AREA (LGA 2006-00028)**, MODIFYING PAGE 6 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 410.1 ACRES, GENERALLY LOCATED ON WITHIN QUADRANT NORTH OF INDIANTOWN ROAD AND EAST OF MACK DAIRY ROAD, FROM RURAL RESIDENTIAL, WITH 1 UNIT PER 10 ACRES (RR-10) TO CONSERVATION (CON); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and June 23, 2006 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 19, 2006 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1 **WHEREAS**, Palm Beach County received the Department of Community
2 Affairs "Objections, Recommendations, and Comments Report," dated
3 September 29, 2006 which was the Department's written review of the
4 proposed Comprehensive Plan amendments; and

5 **WHEREAS**, on November 13, 2006 the Palm Beach County Board of
6 County Commissioners held a public hearing to review the written
7 comments submitted by the Department of Community Affairs and to
8 consider adoption of the amendments.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
10 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

11 **Part I. Amendments to the Future Land Use Atlas of the Land Use**
12 **Element of the 1989 Comprehensive Plan**

13 The following amendments to the Land Use Element's Future Land
14 Use Atlas are hereby adopted and attached to this Ordinance:

15 **A. Future Land Use Atlas page 5 is amended as follows:**

16 **Application No.:** **Pine Glades Natural Area Addition (2006-**
17 **00027)**

18 **Amendment:** Industrial (IND) & Rural Residential, with
19 1 unit per 10 acres (RR-10) to Conservation
20 (CON);

21 **General Location:** Southeast quadrant of Indiantown Road and
22 Seminole Pratt-Whitney Road;

23 **Size:** Approximately 721.7 acres;

24 **B. Future Land Use Atlas page 6 is amended as follows:**

25 **Application No.:** **Cypress Creek Natural Area (LGA 2006-00028)**

26 **Amendment:** From Rural Residential, with 1 unit per 10
27 acres (RR-10) to Conservation (CON);

28 **General Location:** Within quadrant north of Indiantown Road
29 and east of Mack Dairy Road;

30 **Size:** Approximately 410.1 acres;

31 **Part II. Repeal of Laws in Conflict**

32 All local laws and ordinances applying to the unincorporated area
33 of Palm Beach County in conflict with any provision of this ordinance
34 are hereby repealed to the extent of such conflict.

35 **Part III. Severability**

1 If any section, paragraph, sentence, clause, phrase, or word of
2 this Ordinance is for any reason held by the Court to be
3 unconstitutional, inoperative or void, such holding shall not affect
4 the remainder of this Ordinance.

5 **Part IV. Inclusion in the 1989 Comprehensive Plan**

6 The provision of this Ordinance shall become and be made a part
7 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
8 Ordinance may be renumbered or relettered to accomplish such, and the
9 word "ordinance" may be changed to "section," "article," or any other
10 appropriate word.

11 **Part V. Effective Date**

12 The effective date of this plan amendment shall be the date a
13 final order is issued by the Department of Community Affairs or
14 Administration Commission finding the amendment in compliance in
15 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
16 applicable. No development orders, development permits, or land uses
17 dependent on this amendment may be issued or commence before it has
18 become effective. If a final order of noncompliance is issued by the
19 Administration Commission, this amendment may nevertheless be made
20 effective by adoption of a resolution affirming its effective status,
21 a copy of which resolution shall be sent to the Florida Department of
22 Community Affairs, Division of Community Planning, Plan Processing
23 Team. An adopted amendment whose effective date is delayed by law
24 shall be considered part of the adopted plan until determined to be
25 not in compliance by final order of the Administration Commission.
26 Then, it shall no longer be part of the adopted plan unless the local
27 government adopts a resolution affirming its effectiveness in the
28 manner provided by law.
29

1 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
2 Beach County, on the 13 day of November, 2006.

3
4 ATTEST:

5 SHARON R. BOCK, CLERK &
6 COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

7
8 By: Judith C. [Signature]

Deputy Clerk

By: Addie L. Greene

Addie L. Greene, Vice-Chairperson

10
11 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

12
13 [Signature]
14 COUNTY ATTORNEY

15
16 Filed with the Department of State on the 21st day of
17 November, 2006.

18
19 T:\planning\AMEND\06-2\admin\bccadopt\Ordinances\Ordinance_06-2_CountyInitiatedSiteSpec.doc
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21

EXHIBIT 1

A. Pine Glades Natural Area Addition (2006-00027)

Amendment No.: Pine Glades Natural Area Addition (2006-00027)

FLUA Page No.: 5

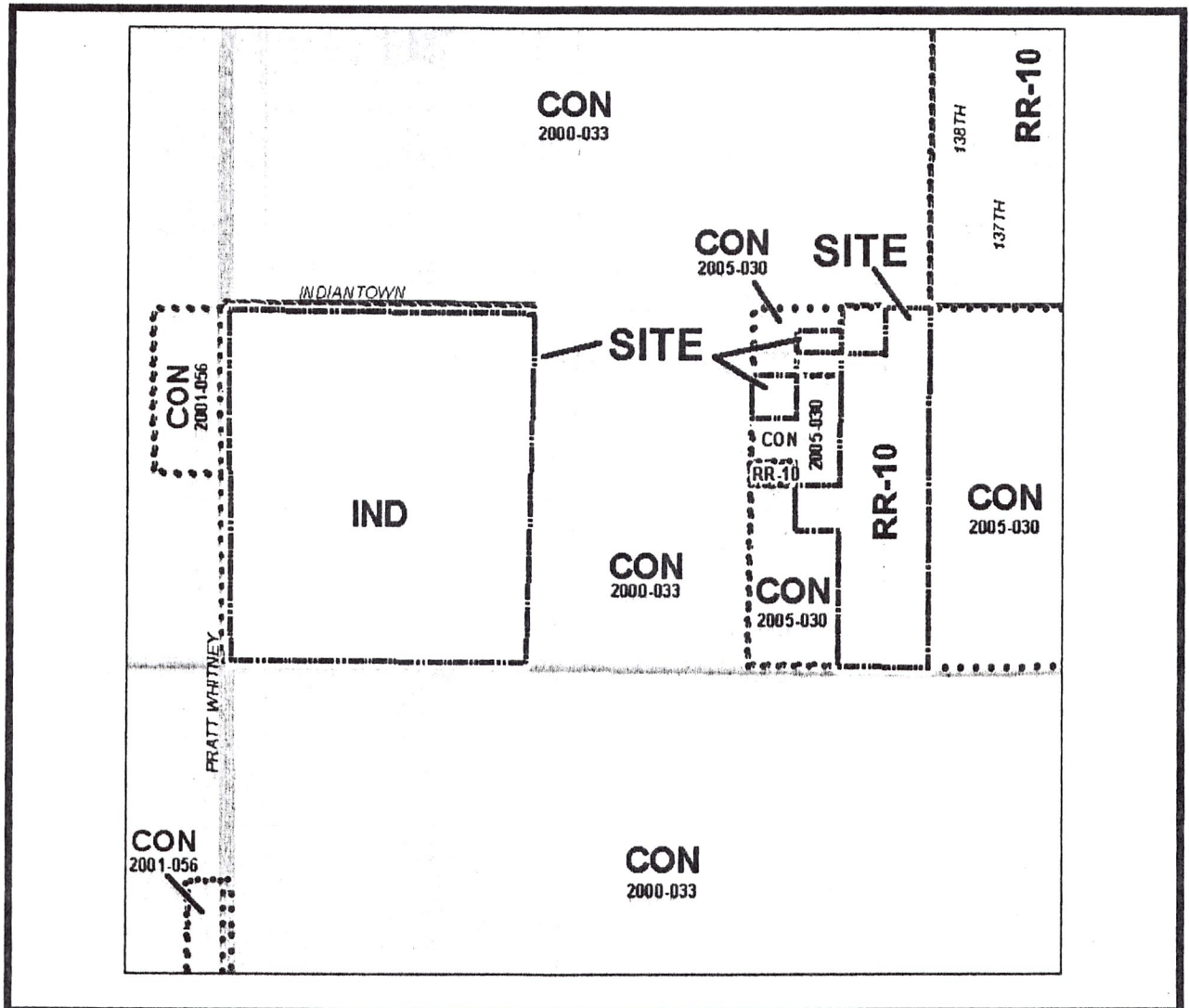
Amendment: From Industrial (IND) & Rural Residential, with 1 unit per 10 acres (RR-10) to Conservation (CON)

Location: Southeast quadrant of Indiantown Road and Seminole Pratt-Whitney Road.

Size: 721.7 acres

Property No.:	00-41-41-06-00-000-1020	00-41-41-05-00-000-5440
	00-41-41-05-00-000-1340	00-41-41-05-00-000-5450
	00-41-41-05-00-000-1350	00-41-41-05-00-000-5460
	00-41-41-05-00-000-1360	00-41-41-05-00-000-5470
	00-41-41-05-00-000-1370	00-41-41-05-00-000-5480
	00-41-41-05-00-000-1380	00-41-41-05-00-000-1040
	00-41-41-05-00-000-1390	00-41-41-05-00-000-1070
	00-41-41-05-00-000-1400	00-41-41-05-00-000-1090
	00-41-41-05-00-000-5410	00-41-41-05-00-000-1180
	00-41-41-05-00-000-5420	00-41-41-05-00-000-5200
	00-41-41-05-00-000-5430	

Conditions: None



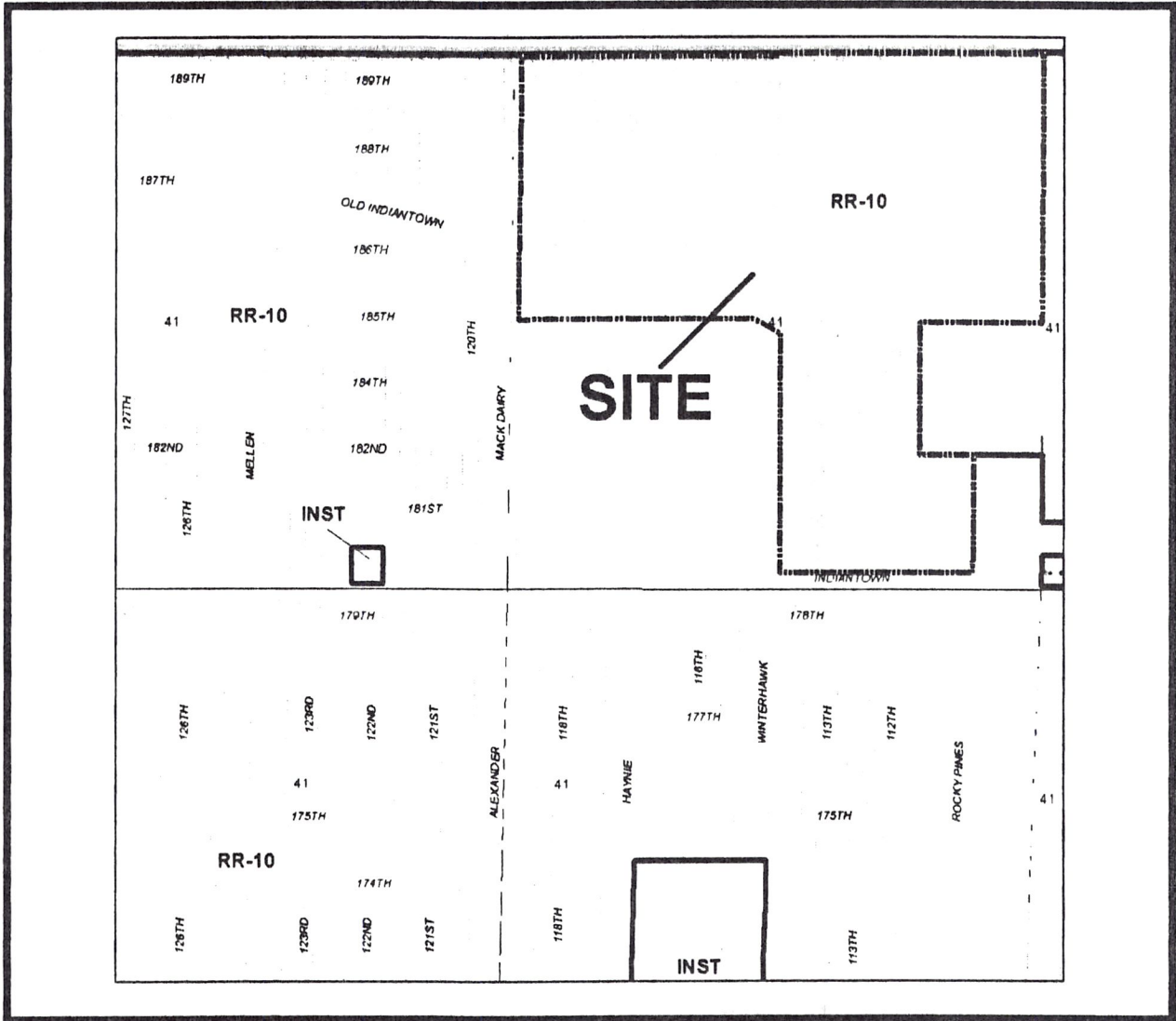
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B. Cypress Creek Natural Area (LGA 2006-00028)

Amendment No.: Cypress Creek Natural Area (LGA 2006-00028)
FLUA Page No.: 6
Amendment: From Rural Residential, with 1 unit per 10 acres (RR-10) to Conservation (CON)
Location: Within quadrant north of Indiantown Road and east of Mack Dairy Road
Size: 410.1 acres (all lots combined)
Property No.: 00-41-40-35-01-001-0010 & 00-41-40-35-00-000-1000
Conditions: None



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